



3/30/06

MESSAGES FROM THE HOUSE

SB 327 (Cassis)

SB 327 would amend the Revised School Code to establish additional reading instruction requirements for the renewal of a teacher's provisional teaching certificate, or the advancement of a teacher's certification to professional certification, beginning July 1, 2007. Under the bill and beginning July 1, 2007, the state superintendent could not renew a teacher's provisional teaching certificate or advance the person's certification to professional certification unless, during the first six years of his or her employment in classroom teaching, the person successfully completed at least a three-credit course of study with appropriate field experiences in the diagnosis and remediation of reading disabilities and differentiated instruction.

- The Senate concurred with the House Amendments to SB 327 [RC 214: 37 yes, 0 no].

SB 328 (Hardiman)

SB 329 (Cassis)

SB 330 (Kuipers)

The bills would create an "Early Intervening Program" to provide additional behavioral and learning assistance to students from kindergarten through third grade.

Senate Bill 328 would permit districts or intermediate districts that receive payments from the Durant et al. v State of Michigan settlement to use those funds for the Early Intervening Program. Currently, Durant funds paid to a local school district or intermediate school district (ISD) may be used only for textbooks, electronic instructional material, software, technology, infrastructure or infrastructure improvements, school buses, school security, training for technology, or the payment of debt service on voter-approved bonds issued by the district or intermediate district. An ISD also may use Durant funds for other nonrecurring instructional expenditures, including expenditures for vocational education; acquisition of technology for academic support services; or projects conducted for the benefit of the ISD's constituent districts at the discretion of the ISD board. The bill would include the Early Intervening Program as a permissible use of Durant money for local school districts and ISDs.

- The Senate concurred with the House Amendments to SB 328 [RC 215: 37 yes, 0 no].

Senate Bill 329 appropriates an additional \$1.0 million in FY 2005-06 from the school aid budget stabilization fund for grants to districts for early intervention programs. The implementation of this program will result in additional costs to the department for the development and oversight of the program along with a required annual report of outcomes. The bill also redirects funding from districts who formerly received a class size grant to now use those funds for early intervention programs. There are currently 26 districts receiving these funds.

- The Senate concurred with the House Amendments to SB 329 [RC 216: 36 yes, 0 no].

Senate Bill 330 would authorize funds designated for at-risk students to be used for the Early Intervening Program. Senate Bill 330 would have no state or local impact on districts. The bill expands the uses currently permitted under the at-risk program.

- The Senate concurred with the House Amendments to SB 330 [RC 217: 36 yes, 0 no].

SB 922 (Sikkema)

Senate Bill 922 also would allow the expansion of the Carson City/Northshade Township renaissance zone on the border between Montcalm and Gratiot Counties. This would provide an incentive to an out-of-State company that is planning on building a new nursing home in the area, potentially creating 90 to 100 jobs. Michigan needs to encourage out-of-State companies to locate in this State in order to revive its economy, and the expanded renaissance zone could stimulate new economic growth and bring new jobs to Michigan. Modern Plastics Corporation (MPC) is an automotive supplier that has been based in Michigan since 1937, currently operating in Benton Harbor, Coloma, and New Buffalo. Indiana reportedly has offered tax incentives to MPC to encourage the company to relocate there. According to testimony given before the Senate committee, the company would prefer to stay in Michigan, but can afford to do so only if the existing renaissance zone in Benton Harbor is expanded to include its facility there. The plant is adjacent to the Graham Avenue renaissance zone, and the bill would allow the extension of that zone to include the MPC plant. The company reportedly plans to consolidate its operations, transferring about 60 employees from another plant and hiring an additional 40 individuals from the Benton Harbor area. The bill would encourage a long-time Michigan company to remain in Michigan, rather than moving to Indiana. In addition, the bill would help create jobs in the struggling Benton Harbor area.

- Thomas 1 was not adopted [no RC].
- The Senate concurred with the House Amendments to SB 922 [RC 218: 36 yes, 0 no].

SB 969 (Johnson)

Senate Bill 969 authorizes the conveyance or exchange of state-owned property in Lansing and Blackman Township (Jackson County). The Lansing property is located on the downtown campus of Lansing Community College and is known as the Carnegie Library property. In 1963

this property was conveyed to the Lansing School District by the state which contained a reverter clause that the property had to be used for educational purposes. Subsequently, the LSD conveyed the property to LCC with the same reverter. This bill removes the 'educational purposes' reverter and conveys this property to LCC for \$1.00 so that bonds may be authorized to remodel and enlarge the library.

- The Senate concurred with the House Amendments to SB 969 [RC 213: 36 yes, 0 no].

CONFERENCE REPORTS

SB 1124 (Kuipers)

Senate Bill 1124 would standardize high school graduation requirements in Michigan, replacing the current system where every school district has its own different requirements. The bill would increase the rigor and relevance of the curriculum, aligning high school education more closely with the skills and knowledge that employers want and that postsecondary institutions require. Under the bill, all students would have to take rigorous courses that would give them the necessary skills to succeed in today's economy. The Merit Curriculum would increase the State's performance in math and science, and help ensure that schools made Adequate Yearly Progress (AYP) under the No Child Left Behind Act.

- The Senate adopted the Conference Report on SB 1124 [RC 228: 37 yes, 0 no].

HB 5606 (Palmer)

House Bill 5606 amends the Revised School Code to prescribe high school graduation requirements for public schools and public school academies (charter schools). The Bill first affect students graduating in 2011, under the compromise, Algebra II will be part of the new math requirements. The proposal reached in conference committee would allow districts to spread the class over a two-year period, if necessary, and to build in other ways for students to satisfy the requirement. Two credits of foreign language would be required of graduates under the deal reached Wednesday, but would first affect students graduating in 2016. The Legislature already had agreed that students should be required to take four credits each of math and English, three each in science and social studies, and one each in physical education and the arts.

<http://www.mlive.com/newsflash/michigan/index.ssf?/base/news-33/1143680962212660.xml&storylist=newsmichigan>

- The Senate adopted the Conference Report on HB 5606 [RC 229: 37 yes, 0 no].

HB 5675 (Baxter)

House Bill 5675 requires the Michigan Department of State Police (MSP) and the Michigan Department of Education (MDE) to ensure the accuracy of school personnel conviction information. School districts would get up to six weeks to release the names of employees convicted of crimes and could not give out the names of those convicted of lesser misdemeanors under a compromise reached Wednesday. The compromise bill essentially gives districts up to

30 business days — six weeks — before they would have to release the names of employees with criminal records.

<http://www.mlive.com/newsflash/michigan/index.ssf?/base/news-33/1143680961212660.xml&storylist=newsmichigan>

- The Senate adopted the Conference Report on HB 5675 [RC 230: 36 yes, 0 no].

FINAL PASSAGE

SB 582 (Bishop)

Senate Bill 582 would amend the Administrative Procedures Act to require the State Office of Administrative Hearings and Rules (SOAHR) to file an electronic copy of promulgated rules with the Secretary of State, along with the copies SOAHR is currently required to file. Additionally, the bill would require that the Secretary of State transmit an electronic copy, instead of a paper copy, of rules filed in his or her office to the Secretary of the Senate and the Clerk of the House.

- SB 582 was moved to 3rd Reading of Bills [no amendments].
- SB 582 passed with IE [RC 219: 36 yes, 0 no].

SB 727 (Garcia)

Senate Bill 727 would create a new act to establish the Office of Defense and Homeland Security Business Opportunities in the Michigan Economic Development Corporation (MEDC). The Office would be required to do the following: Focus solely on job creation and job retention from business opportunities associated with defense and homeland security contracts. Coordinate with procurement technical assistance centers in this State to maximize business opportunities for businesses located in Michigan. Give priority to bringing business opportunities to counties hardest hit by manufacturing layoffs. Set a performance objective of increasing defense and homeland security contracts awarded to businesses located in Michigan by 25%. Provide resources needed to meet the performance objective within one year.

- Garcia 1a was adopted.
- Committee S-2 was adopted.
- SB 727 was moved to 3rd Reading of Bills.
- SB 727 passed with IE [RC 231: 36 yes, 0 no].

SB 777 (Van Woerkom)

Senate Bill 777 would amend the Michigan Seed Law to preempt ordinances prohibiting or regulating certain activities with respect to seeds. Specifically, the bill would prohibit a local unit of government from adopting, maintaining, or enforcing an ordinance that prohibited or regulated the labeling, sale, storage, transportation, distribution, use, or planting of agricultural, vegetable, flower, turf grass, or forest tree seeds. The prohibition would not apply to an

ordinance that prohibited or regulated noxious or invasive plants or the use of certain plants for landscaping.

- *Committee S-3 was adopted.*
- *SB 777 was moved to 3rd Reading of Bills.*
- *Brater 1 was not adopted. [RC 221: 16 yes, 20 no]. (Will require a further study of genetically modified plants before the bill takes effect)*
- *SB 777 passed with IE [RC 222: 26 yes, 10 no].*

SB 1112 (Birkholz)

Senate Bill 1112 would amend the Housing Law of Michigan to transfer from the Department of Environmental Quality (DEQ) to the Department of Community Health (DCH) responsibilities regarding potential contamination of property that was the site of illegal drug manufacturing. Under the Law, a State or local law enforcement agency must notify the enforcing agency and the DEQ regarding the potential contamination of any property or dwelling that is or has been the site of illegal drug manufacturing. Within 14 days after receiving the notification or as soon thereafter as is practically possible, the DEQ, in cooperation with the enforcing agency, must review the information received from the law enforcement agency, emergency first responders, or hazardous materials team that was called to the site and make a determination regarding whether the premises are likely to be contaminated and whether that contamination may constitute a hazard to the health or safety of those who may occupy the premises. The bill would refer to the DCH, rather than the DEQ, in these provisions.

- *Committee S-1 was adopted.*
- *SB 1112 was moved to 3rd Reading of Bills.*
- *SB 1112 passed with IE [RC 225: 36 yes, 0 no].*

SB 1113 (George)

Senate Bill 1113 would amend the Public Health Code to require the Department of Community Health (DCH), in consultation with the Department of Environmental Quality, to develop a cleanup of clandestine drug labs guidance document, within six months after the bill's effective date. The document would have to include detailed protocols for the preliminary site assessment, remediation, and postcleanup assessment of indoor environments and structures. The DCH would have to make the document available on its website and provide a local health department, upon request, with a physical copy of the document.

- *Committee S-1 was adopted.*
- *SB 1113 was moved to 3rd Reading of Bills.*
- *SB 1113 passed with IE [RC 223: 36 yes, 0 no].*

SB 1114 (Brown)

Senate Bill 1114 would amend Part 201 (Environmental Response) of the Natural Resources and Environmental Protection Act to require the Department of Environmental Quality to report to

the Legislature on environmental contamination caused by releases that were associated with clandestine drug laboratories, that had been reported to the Department, and that were subject to response activity under Part 201. The report would have to be made to the legislative standing committees with jurisdiction over issues pertaining to natural resources and the environment. The report would have to include all of the following: The number of releases described above. The status of the responses to the releases. The identity of the agency or department that undertook the response activity.

- *Committee S-2 was adopted.*
- *SB 1114 was moved to 3rd Reading of Bills.*
- **SB 1114 passed with IE [RC 224: 36 yes, 0 no].**

SB 1184 (Kuipers)

Senate Bill 1184 would amend the Revised School Code to specify that, beginning July 1, 2006, the board of a local school district or other public agency responsible for providing programs or services under the Code to a child with a disability would be responsible for 75% of the costs of providing a due process hearing. This would allow a parent, public agency, or the Department of Education to request an administrative hearing on matters related to identification, evaluation, educational placement, provision of a free appropriate public education, provision of appropriate services to the child or his or her family, assignment of financial obligations for those services, determination that behavior was not a manifestation of the student's ability, or determination of an interim alternative setting.

- *SB 1184 was moved to 3rd Reading of Bills [no amendments].*
- **SB 1184 passed with IE [RC 226: 36 yes, 0 no].**

HB 5640 (Casperson)

House Bill 5640 would allow the Smurfit-Stone paper mill in Ontonagon County to be eligible for a single business tax (SBT) credit from the Michigan Economic Growth Authority. The company is described as a leading producer of containerboard, multi-wall and specialty bags, and clay-coated recycled boxboard. Company officials testified that the mill in Ontonagon had a payroll of about \$12 million in 2005 and paid 31 percent of village property taxes and 8 percent of county property taxes.

- *Committee S-1 was adopted.*
- *HB 5640 was moved to 3rd Reading of Bills.*
- **HB 5640 passed with IE [RC 227: 36 yes, 0 no].**

HB 5813 (Ward)

House Bill 5813 would amend the Michigan Election Law to set a filing deadline for candidates who stand for election to village offices during the November general election. The bill requires that nominating petitions for village offices be filed with the appropriate township clerk by 4 p.m. on the 12th Tuesday before the general election in November (a date that will fall in

August). After a nominating petition is filed, the candidate would not be permitted to withdraw unless a written withdrawal notice, signed by the candidate, was filed with the clerk no later than 4 p.m. of the 3rd day after the last day for filing the nominating petition. Currently under the law, candidate filing deadlines are set in a similar fashion for village councils who hold their regular elections at the September primary election.

- *HB 5813 was moved to 3rd Reading of Bills [no amendments].*
- *HB 5813 passed with IE [RC 220: 36 yes, 0 no].*

THIRD READING OF BILLS

SB 934 (Garcia)

Senate Bill 934 would amend the Michigan Vehicle Code to require the Secretary of State, beginning June 1, 2006, to obtain the consent and information necessary to register an individual with the Federal Selective Service System in accordance with the Military Selective Service Act including the individual's Social Security number, at the time the individual applied for a driver license. Under the bill, by applying for an operator's license or chauffeur's license, a male U.S. citizen or immigrant to the United States less than 26 years old would give his consent to the Secretary of State to be registered by the Federal Selective Service System if so required by Federal law. The license application form would have to state that the submission of the application served as the applicant's consent to be registered. The form also would have to include the statement, "If under the age of 18, I understand that I will be registered when I attain the age of 18 if so required by federal law." The Secretary of State would have to forward the information obtained in an application to the Selective Service System in a format consistent with Selective Service System requirements.

- *SB 934 was moved to 3rd Reading of Bills [no amendments].*

HB 5199 (LaJoy)

House Bill 5199 would amend the Michigan Memorial Highway Act to revise the description of the portion of I-275 that is named the "Phillip A. Hart Memorial Highway". Currently, the Act refers to the portion of I-275 from its intersection with I-75 in Monroe County to its intersection with "I-69" in Oakland County. The bill would refer to the intersection with "I-96" in Oakland County

- *HB 5199 was moved to 3rd Reading of Bills [no amendments].*

HB 5643 (Caul)

House Bill 5643 would amend the Prisoner Reimbursement to the County Act to allow a county to seek reimbursement from certain prisoners within six years, rather than 12 months, after the prisoners' release from a county jail. Under the Act, within 12 months after the release from a county jail of a sentenced prisoner or a pretrial detainee whose prosecution resulted in a felony conviction, an attorney for that county may file a civil action to seek reimbursement from that

person for his or her maintenance and support while he or she was confined in the jail, or for any other expense for which the county may be reimbursed under the Act. Under the bill, an attorney for a county could pursue such an action within six years after the prisoner's release.

- Committee S-1 was adopted.
- HB 5643 was moved to 3rd Reading of Bills.

RESOLUTIONS

HCR 33 (Ward)

A concurrent resolution prescribing the legislative schedule.

- HCR 33 was adopted [no RC].